

BANK MESSENGER ROBBED IN STREET

Was Carrying \$916 in a Newspaper When Three Men Held Him Up.

POLICE MAKE AN ARREST

Prisoner Denies Guilt, but on Identification of Woman Witness He Is Locked Up.

Frank A. Landi, twenty-three years old, of No. 508 East 14th street, a bank messenger employed by the Harlem branch, at First avenue and 116th street, of Lionello Perera & Co., private bankers, of No. 69 Wall street, was assaulted and robbed by three highwaymen in East 104th street, just west of First avenue, shortly after 2 o'clock yesterday afternoon. The highwaymen got \$916 Landi was carrying under his arm wrapped up in a newspaper.

One arrest has been made by the police. The prisoner described himself as Ercles Moles, a laborer, of No. 335 East 104th street. He was charged with highway robbery on the identification of Mrs. Assunta Celeste, of No. 351 East 104th street, who alleges that she saw Landi robbed.

According to Landi's story, a few minutes before he was assaulted he had made a collection of more than \$200 from a fruit store run by Imperato Brothers, at No. 2019 First avenue. This money he wrapped up in a newspaper with other money he had collected from the depositors of the bank by which he was employed.

He explained to the police that he did not carry a satchel, as he was always afraid of a hold-up, and had feared that the carrying of a regulation bank messenger's satchel would make him easily recognized as he went about his daily collections. His plan, he explained, was to wrap up the money in a newspaper and to carry it under his arm, as if it were merely a bundle of laundry.

Did Not Know He Was Followed.

After leaving the store of Imperato Brothers Landi says he went up First avenue to 104th street. Up to that point, he said, he did not think any one was following him. The assault occurred about fifty feet west of First avenue, and while a number of persons were in the windows and others were in the street.

According to Landi's story it was the work of only a second. All he heard was the sound of a few footfalls behind him, then came a stunning blow on the head which felled him to the sidewalk. At the same instant a strong hand snatched the bundle with the \$916 from under his arm and he heard the men running away. He says no one attempted to stop them, and they ran in the direction of First avenue.

His story was corroborated by Mrs. Celeste and other Italians who witnessed the assault. They all said three men attacked him. Landi was helped to his feet by an Italian, and followed by a crowd of nearly four hundred other Italians, he was helped to the East 104th street station. Dr. Baker, of the Harlem Hospital, was summoned and found Landi had received two severe scalp wounds, which required a number of stitches.

Woman Aids Detectives.

While Landi was receiving medical attention he related the story of the robbery to Lieutenant Noble, of the detective bureau, who assigned Detectives Gannon, Cozzens and Mancini to the case. They obtained the services of Mrs. Celeste, who had accompanied the crowd to the police station. With her aid, the detectives, after visiting the scene of the robbery, arrested Moles in 100th street, near First avenue.

Moles, at the police station, denied that he had had anything to do with the robbery. On Mrs. Celeste's affirming her identification the prisoner was locked up and a charge of highway robbery was made against him.

Landi was later taken to his home. Before leaving the station house he told the police that the robbers had overlooked a quantity of gold coin that he had in his pocket and a valuable gold watch. He believes the robbery was the work of men who were familiar with his habits and duties.

TURTLE MORE BIRD THAN FISH

Harvard Expert's Views—Not Cruel to Expose Animal in Show Window.

Boston, May 5.—Although a turtle was declared by Professor Robert Verkes, a Harvard University expert, to be more nearly related to a bird than to a fish, and to possess a highly developed nervous system, capable of memory, intelligence and lovable tendencies, Judge Stevens in the Superior Court to-day instructed a jury to bring in a verdict of not guilty in the case of John H. Weiner, a restaurant proprietor, who was charged with cruelty to animals in keeping a 160-pound green sea turtle on its back in a window last summer. Weiner had been fined \$25 in the Municipal Court and appealed.

The defense contended that the charge of cruelty to animals would not hold, on the ground that a turtle was not an animal, but a fish.

DRAWN TO DEATH IN WHEEL

"Big Boy" of Four Years Was Wearing His First Knee Pants.

Me a big boy now," said four-year-old Morris Rosen, of No. 429 Sutter avenue, Brooklyn, yesterday afternoon as he started bravely out to play, wearing his first pair of knee pants. Yesterday was his birthday and the first trousers had been purchased for him in honor of the event.

A few minutes later Morris was running in the roadway when he saw a number of older boys playing baseball. He wished to play with them, and they allowed him to recover the ball whenever it was batted out of their reach.

When in chase of the ball he ran against the rear wheel of a heavy truck and was caught in the spokes. He was whirled upward in such a way that his head and shoulders were crushed against the axle on the inside of the wheel. Death was instantaneous.

LLOYD GEORGE DELIGHTED

His Social Reorganization Bill Rapturously Approved.

(By Cable to The Tribune.)
London, May 5.—It is not too much to say that Chancellor Lloyd George's gigantic project for social reorganization has been welcomed with rapturous approval. The Chancellor himself is delighted with the reception of his bill. He has received a large number of congratulations, including cable dispatches from America and a cordial message from the Prime Minister of New Zealand.

"I shall require," he says, "all the enthusiasm of all progressive and benevolent people in this country to carry through this vast scheme."

OFFER TO RISK CANCER

Noted Specialist Refuses to Inoculate His Students.

(By Telegraph to The Tribune.)
Baltimore, May 5.—Seventeen medical students under Dr. Charles Simon, the cancer specialist, have offered themselves to him as subjects to test the efficacy on human beings of experiments which have yielded remarkable results when applied to animals. Dr. Simon, in reply, to-day said:

"I understand how much an offer like that means from my students. They have made a study of medicine and know exactly the terrible chances they would be taking. Once they are thoroughly inoculated with the cancer germ, if the cure failed (for it is only an experiment), the disease would have to take its course. It was a noble offer and I appreciate the confidence expressed by it, but I cannot now take the risk."

DEATH WARNING FOR JUDGE

Man Who Issued Injunction in Strike Ill as Result.

(By Telegraph to The Tribune.)
Boston, May 5.—Judge James B. Richardson, of the Superior Court, is ill at his home, it is believed, as a result of a second Black Hand letter just received, threatening his life if he punished in any way four members of the photo-engravers' union in an injunction case. The letter was turned over to the district police, and Deputy Chief Neal, who has charge of the criminal prosecutions, has called the postoffice inspectors in to aid in the effort to learn the identity of the writer. The letter, posted in Chicago, is as follows:

Judge Richardson—Sir: This is to warn you against punishing in any way the four herein named members of the Photo Engravers' Union—J. F. Lewis, John Maguire, Louis Kometz and Matthew Wall—for alleged violation of injunction.

Disobey this warning at your peril. Your rotten carcass will be the price you will pay.

For order executive committee, B. of F. of A. N. W. Dist.

The letter is the outgrowth of the injunction proceedings in the so-called photo engravers' strike, which have been pending for some months. While Judge Richardson sat in the case when it came up originally he has had nothing to do with the more recent phases, which had to do with an alleged violation of an injunction he had issued.

GIRL WAS SLEEP RIDER

Somnambulist Takes Midnight Car Trip in Pajamas.

(By Telegraph to The Tribune.)
Omaha, May 5.—Clad only in pajamas and slippers, Miss Sadie Allen, a young woman prominent in Omaha society, rode three miles asleep on an owl car at midnight last night. Dropping into a seat with her eyes closed, she was the object of mirth for four young men passengers until the car reached a downtown hotel. Here the conductor called a policeman, and a moment later Miss Allen was awakened with a dash of water. She was taken home in a taxi-cab. Miss Allen made a special trip to the hotel to-day and thanked those who aided her.

Miss Allen explains that she is subject to frequent spells of sleepwalking. She is twenty years old and remarkably attractive. Investigation at her home showed that the door was open, as she left it, and that her parents knew nothing of the girl's strange adventure.

PURSER SIX HOURS ASHORE

In from Buenos Ayres, He Sails for Rio the Same Day.

A disappointed amateur golf player sailed unwillingly for Rio de Janeiro yesterday on the Lamport & Holt liner Byron. He was Whitson B. Kirkpatrick, the ship's newly appointed purser. He had come from Buenos Ayres, only to be sent back again with only six hours ashore, and not even one crack at a golf ball.

"I think if I could have made five holes I'd have been content," remarked Kirkpatrick, as he carried his caddy bag from one ship to the other. Kirkpatrick was the assistant purser of the Vasari, which arrived yesterday at 9 a. m. from Buenos Ayres, a distance of 6,000 miles.

As soon as the Vasari docked Kirkpatrick was informed that he had been promoted to be the purser of the Byron, and would have to sail on her at 3 p. m. for Rio de Janeiro, which is 5,105 miles from New York.

"Well," he remarked, "promotion is promotion, but no golf is worse than prison. Eleven thousand, one hundred and thirty-eight miles up and down the coast in forty days, with only six hours ashore, is tiresome."

WALKS FROM OPERATING TABLE

Man Whose Legs Were Pronounced Broken Surprises Surgeons.

(By Telegraph to The Tribune.)
Boston, May 5.—"My legs are not broken," said Chester A. Goodhue, of Lynn, to the surgeons of the Lynn Hospital this morning as they bent over him to set his limbs. And to prove it he got off the operating table and walked across the room. Goodhue had boarded a train with friends and when it was crossing Central Square at a good speed he swung himself off, but was thrown into a pile of bricks about twenty-five feet from the tracks.

Goodhue was conscious when help arrived, but was unable to stand up. A hospital diagnosis was that he was rushed to the hospital led to the belief that his legs were broken, so that he was taken directly to the operating table.

CHEAPER ICE IN SIGHT AS "TRUST" ENDS FIGHT

Yields in State's Suit and Gives Up Contracts That Barred Dealers Who Sold Out.

ABANDONS ITS NAME HERE

Knickerbocker Ice Co. Now Takes Place of American Ice Co.—No Change in Other States, However.

The American Ice Company has ended, so far as this state is concerned. It has given up its five-year fight against the suit of the state for a revocation of its license, and its business here will be done by a new Knickerbocker Ice Company. Moreover, it gives up, by stipulation, every contract it held barring independent dealers whose business it had bought from engaging in the ice business for varying periods.

Justice Hendrick, of the Supreme Court, signed an order yesterday discontinuing the suit of the State of New York against the American Ice Company. The state sought to enjoin the company from doing business in the state.

The effect of the order is far-reaching, for it means that after five years of almost continual litigation the company has decided to give up the struggle in the courts to fight the charge that it was an illegal combination in restraint of trade, and cease doing business in this state. Also the order to which the company consented relieves all the independent ice dealers who were tied up by contracts with the American Ice Company, it being stipulated in the order of Justice Hendrick that if the company tries at any time to enforce any of the contracts that were said to be in restraint of trade for the purpose of unlawfully controlling the supply of ice and its price a permanent injunction shall issue.

The company was accused of abusing its rights and franchises. One of the exhibits submitted by Attorney General Carmody to the court, through James A. Parsons, Deputy Attorney General, was a copy of resolutions adopted on March 7 by the board of directors of the American Ice Company, which read as follows:

Whereas, Although counsel have advised that, in their opinion, the court has no authority to enter any decree cancelling the license of the defendant to do business within this state, it is deemed desirable in the interest of a satisfactory conduct of its business and of avoiding the expenditure of time and money necessary to defend the pending action of People vs. American Ice Company, now on the calendar for trial, for the company to voluntarily request the cancellation of its license to do business in this state, upon the understanding and condition that it will not again apply for any such license, and to transfer its property in this state to other corporations or corporations, omitting them from the benefit of any contracts, though the same have already expired, which it is claimed by the plaintiff in this action, together constitute a restraint of trade by prohibiting persons from engaging freely in the ice business or in any branch thereof.

Resolved, That the officers of this company are authorized to appeal the cause of the State of New York to the Supreme Court for the cancellation of the license of the defendant to do business in this state.

You are hereby requested by the American Ice Company to appeal its license to do business within this state on the understanding and condition that it will not again apply for any such license, and to transfer its property in this state to other corporations or corporations, omitting them from the benefit of any contracts, though the same have already expired, which it is claimed by the plaintiff in this action, together constitute a restraint of trade by prohibiting persons from engaging freely in the ice business or in any branch thereof.

Resides the signal victory of the state in loosening these bonds, the general public, as a result of the proceedings begun by former Attorney General Jackson, will be able to buy ice this summer at a price lower than it has been for several years. The individual ice producers and small dealers will be able to resume business.

It is understood that the company will also pay the \$5,000 fine imposed in a criminal action against it, which has been the subject of appeal.

Attorney General Jackson began the suit against the American Ice Company about five years ago, alleging that the company had entered into an unlawful agreement, combination and conspiracy to restrict competition in the manufacture, production and sale of ice. It was alleged, also, that the defendant company created and maintained a monopoly in the supply and price of ice, and conceived a plan the purpose of which was to control practically all the sources of supply of ice for the city of New York.

The proceeding was brought to restrain the company from continuing to commit the alleged illegal acts charged in the complaint and to have revoked the license under which the company did business in this state, it being incorporated in another state. The defendant filed an answer denying the allegations, and there the matter has stood. Subsequently the American Ice Company was indicted for the same violations of the law charged in the civil action, and a jury in the Supreme Court rendered a verdict of guilty. A fine of \$5,000 was imposed, which will now be paid to put an end of all litigation against the company by the state.

Wesley M. Oler, president of the American Ice Company, made a statement yesterday, in which he said that it seemed impossible for the American Ice Company to get justice in New York.

"The public has been so poisoned against us," he said, "that even in small damage suits it is practically impossible for the company to win unless it has a dead open and shut case. The juries are always prejudiced against our name."

Mr. Oler explained the company's action in this statement:

The growth of the manufacturing department of the American Ice Company in New

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THE MEXICAN QUESTION.



Will He Resign?

WOMAN INDICTED IN DYNAMITING OF "TIMES"

Four Unknowns Accused with the McNamara Brothers and David Caplan.

M'NAMARAS ARE ARRAIGNED

Their Attorney, Agreeing to a Speedy Trial, Gets Stay Until June 1 for Pleas—McManigal Does Not Appear.

Los Angeles, May 5.—John J. McNamara, secretary of the International Bridge and Structural Iron Workers' Association, was formally arraigned to-day before Judge Walter Borthwell, of the Superior Court, on charges of murder and dynamiting. His brother, James B. McNamara, was arraigned on a charge of murder. Five other persons, one a woman, were indicted in connection with the explosion which wrecked the building of "The Los Angeles Times" on October 1, 1910, killing twenty-one men.

Ortle E. McManigal, alleged to have made a confession implicating the McNamaras, was not arraigned. It is not expected that he will make any appearance in court until the trial begins. The day for the McNamara brothers to plead was fixed for June 1.

Fully an hour before the time for the arraignment the courtroom was crowded, despite efforts of the officers to keep the proceedings secret. The McNamara brothers, with hands manacled, were brought into court by Sheriff Hammell and three deputies.

Assistant District Attorney Ford read all the nineteen indictments, charging the men with the murder of employees of "The Times" plant.

Accused with the brothers in the same indictments were William Caplan, alleged to have been an abettor of James B. McNamara in the explosion, and four others, one a woman, who were masked by the names of "John Doe," "Richard Roe," "John Stiles" and "Jane Doe."

The accusation was followed by a list of scores of witnesses examined by the grand jurors in the weeks following "The Times" explosion, and with the late addition of Ortle E. McManigal, who appeared before the inquisitorial body only yesterday.

"Considering the importance of the case and the distance which it may be necessary to bring witnesses," Mr. Rappaport for the defense said, "I would like to have thirty days before the pleas are entered."

"If you are allowed an unusual time to enter the pleas," said Prosecutor Frederick, "you waive the provision of the statute which declares that the men must be tried within sixty days after they are arraigned."

Rappaport signified his willingness, and the District Attorney said he would consent that the pleas be made on June 1. Ford then read the other eighteen indictments.

James B. McNamara was permitted to stand down, and then an indictment was read, charging John J. McNamara, Ortle E. McManigal, "John Doe," John Stiles,

"Richard Roe" and "Jane Doe" with dynamiting the Llewellyn Iron Works last Christmas. The time for McNamara to plead to that charge was also fixed for June 1.

Rappaport asked what had become of the indictments on which the men were arrested, inquiring if they had been "quashed," were pending, or what? Prosecutor Frederick said they were on file in the court. He declared he had no wish to arraign the men on them at present.

ALLEGED WIRE TAPERS FALL INTO A TRAP

Camden Contractor, Who Used to Own Race Horses, Led Police to Their Home.

THIRTEEN MEN IN TOILS

Wanted Him to Bet \$20,000, He Says, and He Agreed to Do So—Wires Ended in Wall, Say Detectives.

On complaint of Charles W. McDonald, a contractor of Camden, N. J., thirteen men were arrested by Central office detectives yesterday on a charge of grand larceny. All were taken in a raid on a house in West 61st street after, the police say, they had attempted to swindle the complainant out of \$20,000 by means of a wire tapping scheme.

McDonald told Inspector Russell that he had picked up an acquaintance with a man who said his name was McCormick on a ferryboat running from Camden to Philadelphia. McCormick told him, McDonald said, that he was the man in charge of the racing wires of the Western Union in New York and could control all the wires in the United States for eight minutes, and thus get reports before the poolrooms got their information.

McDonald was the owner of a string of racing horses at one time and was familiar with the wire tapping game. He led the man on, and when he returned from a business trip on Wednesday learned that McCormick had called at his office. Later in the day McCormick used the telephone and arranged to meet McDonald at the Hotel Walton, in Philadelphia.

While chatting in the lobby of the hotel McDonald said McCormick suggested that he come to New York and take a hand in beating the poolrooms. McDonald agreed, and said he would meet McCormick at the Grand Central Station, or at the Hotel Latham, in East 28th street, on Thursday. Instead, McDonald came to New York on Wednesday night and laid the facts before Inspector Russell. Detectives McKenna and Cassassa were assigned to the case.

On Thursday McCormick met McDonald, the contractor told the police, and took him to an alleged poolroom in West 69th street. Later they went to another place in West 64th street. They could not get in until they procured identification cards from a man on the ground floor of the building.

At that place, McDonald said, he bet \$20 and won \$12 on a horse. A man known as McDermott, who was introduced by McCormick, said that he "didn't want to get about \$20,000 and finally agreed to bet about \$20,000 and come back to bet it at a place which was to be designated later. While he was in the place a number of men kept up constant talk about the large sums which they were betting.

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PRESIDENT DIAZ EXPECTED TO RESIGN SOON

Announcement of His Purpose To-day Would Not Surprise Members of His Cabinet.

DE LA BARRA MAY SUCCEED

Madero's Latest Demand Believed to Have Caused President's Decision to Retire.

MINISTERS WON'T CONFIRM IT

Hurried Conference at National Palace and Change of Plans Give Strength to Persistent Rumors.

(From a Special Correspondent of The Tribune.)

Mexico City, May 5.—Persistent rumors that President Diaz had decided to resign have been in circulation all day, but at a late hour to-night they had not been verified. Members of the Cabinet and other government officials declined either to affirm or deny them.

It was reported that the ultimatum said to have been issued by Madero that General Diaz must either resign or definitely fix a date for his resignation had forced the President's hand, and brought him to a frame of mind where he is inclined to retire and let the affairs of Mexico take what course they will.

The reticence of the government officials on the subject seems to indicate, in the judgment of many persons, that the resignation rumors have some foundation in fact.

In the lack of definite information from authentic sources which might be presumed to know the intentions of General Diaz, the best statement that can be made now is that it would surprise no one in the capital if the announcement of the President's retirement came at any time.

While a member of the Cabinet told the Tribune correspondent to-night that it was still undetermined what President Diaz's course would be, he refused to assent to the suggestion that everything on the surface indicated that his resignation was close at hand.

Ministers Non-Committal.

"So far as the ministers are concerned," he said, "the only thing we can do is to give our advice to the President in response to his request. We cannot request him to resign. The initiative must come from him so far as actual resignation is concerned."

The minister was asked if in his opinion President Diaz would resign if convinced that his continuance in office would act as an insurmountable obstacle to peace. He replied:

"Yes, I firmly believe that if the President is convinced that his quitting office is necessary to restore peace he is too patriotic and loves the welfare of the country too much to remain in office under such conditions, but it does not appear so far that anything emanating from the insurgent leader in the form of an ultimatum has forced the President to consider such an alternative."

Many Conferences Held.

Beginning early this morning, when dispatches from Juarez announced the declaration of Madero's sub-chiefs that some definite public intentions must be made, prolonged conferences were held by the President and the ministers. They gathered first at the National Palace, and at intervals in the President's house in the Calle Cadena. Señor de la Barra, who by the operation of a pre-constitution will become President pro tempore if the office is vacated, made several trips from his office to the palace and the Presidential residence, carrying many documents with him. He managed to spend an hour this afternoon in his own home. The Tribune correspondent found him there in the garden, chatting with his wife. He was placid and outwardly undisturbed by the stir of the day's events, and was firm in his refusal to discuss President Diaz's resignation in any way.

"You will appreciate that I, more than the other ministers, stand in a very delicate position at present, so it would be manifestly improper for me to say anything."

Another minister said to-night that the consensus of opinion of the Cabinet members was that the immediate resignation of President Diaz was undesirable. "Perhaps in a few months," he said, "but not now. We should have our new election machinery in order before we proceed to the important task of selecting a new President."

No One but Diaz Knows.

Señor de la Barra was in his office a few minutes at 8 o'clock to-night, and went from there to President Diaz's house. As the matter stands, apparently no one save Diaz knows